REMARKS

Status of the Application

Claims 1-20 are the claims that have been examined in the instant application. Claims 1, 4, 7, 10, 13, 15, 17 and 19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Oosawa (U.S. Publication No. 2001/0002934 A1) in view of Murakami (U.S. Patent No. 6,317,510 B1). Claims 2, 3, 5, 6, 8, 9, 11, 12, 14, 16, 18 and 20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Oosawa in view of Murakami, as applied to claims 1, 7, 13 and 17 in the above and further in view of Yanagita et al. (U.S. Patent No. 6,415,049 B1).

By this Amendment, Applicant is adding new claims 21-25.

Preliminary Matters

Applicant thanks the Examiner for acknowledging Applicant's claim to foreign priority and receipt of a certified copy of the priority document, for indicating that the drawings filed November 24, 2003 are accepted, and for considering and initialing the Information Disclosure Statements filed November 24, 2003 and March 5, 2004.

Claim Rejections - 35 U.S.C. § 103

A. Claims 1, 4, 7, 10, 13, 15, 17 and 19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Oosawa (U.S. Publication No. 2001/0002934 A1) in view of Murakami (U.S. Patent No. 6,317,510 B1).

Claim 1 recites in part, "process confirmation data representing whether an image has undergone image processes is attached to each of the two images, and image processing condition data representing image processing conditions are further attached to the images which have undergone image processes," and "a judgment means for judging whether the two images

have undergone image processes, based on the process confirmation data attached to each of the two images; and a correction means for correcting an image which has been judged to have undergone image processes, to correct the image to a state equivalent to its original state prior to the image processes, based on the image processing condition data attached thereto." The Examiner alleges that Oosawa discloses an image processing apparatus equipped with an inter image calculating means as recited in claim 1. The Examiner also indicates that Oosawa fails to teach or suggest the process confirmation data representing whether an image has undergone image processes is attached to each of the two images, the judgment means, and the correction means. However, the Examiner alleges that Murakami cures the deficiencies noted in Oosawa.

Oosawa discloses an image display method and apparatus, which facilitates the comparison of two or more images of an identical object. The images to be compared may be original images, or a plurality of original images may be compared to a subtraction image. The comparison is passed on vertical positions of a structural feature area (anatomical feature area) of the object. As noted above, the Examiner alleges that Oosawa discloses the inter image calculation means as recited in claim 1. However, Oosawa performs the image subtraction on a pair of original images, not a corrected image for the image which has been judged to have undergone image processes, as recited in claim 1. The original images recited in Oosawa have not undergone image processing, which is later corrected for inter image calculation. Thus, Oosawa fails to disclose that the inter image calculation means performs inter image calculation employing the corrected image, as recited in claim 1.

Murakami, on the other hand, discloses a blackening processing method and apparatus. The method and apparatus define an irradiation field using a template, and "blacks out" the

region outside of the defined irradiation field. However, Murakami fails to disclose either that process confirmation data is attached to each of the two images, or the judgment means recited in claim 1. Murakami discloses that a control means then judges which process should be used in recognizing the irradiation field which the blackening process region is to be determined. Further, the control section judges whether the process used for recognizing the irradiation field is appropriate for the image. Specifically, the blackening process region is to be coincident with a region Pout, which is outside of the irradiation field. When the blackening process region has been determined to not be coincident with Pout, then a blackening correcting process is undertaken. An image signal is input into a blackening process region correcting means (hereafter "correcting means"). Further, predetermined subsidiary information, which contains inputted data on recognition processing conditions, is inputted to the correcting means. See col. 28, lines 7-23, col, 29, line 63 - col. 30, line 5, and col. 26, line 44-col. 27, line 11. However, the subsidiary information is not attached to the images, as is the process confirmation data and image processing condition data recited in claim 1. Rather, the image signal SO and the subsidiary information K are separately inputted to the correcting means through different means. Thus, they are not attached to the images as recited in claim 1.

Further, Murakami fails to disclose that the correcting means corrects an image to a state equivalent to its original state prior to the image processes. The correcting means disclosed in Murakami actually corrects a blackening process region when the blackening process that has been performed is incorrect for the image. The image is not returned to a state equivalent to an original state. Rather, the image is further processed by the correcting means disclosed in Murakami.

Therefore, claim 1 are patentable over the applied art, as a proposed combination of Oosawa and Murakami, and the proposed combination fails to disclose all of the elements of claim 1. Clams 7, 13 and 17 recite limitations similar to claim 1, and are patentable for reasons analogous thereto.

Claims 4, 10, 15, and 19 are patentable at least by virtue of their respective dependencies.

B. Claims 2, 3, 5, 6, 8, 9, 11, 12, 14, 16, 18 and 20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Oosawa in view of Murakami, as applied to claims 1, 7, 13 and 17 in the above and further in view of Yanagita et al. (U.S. Patent No. 6,415,049 B1).

Claims 2, 3, 5, 6, 8, 9, 11, 12, 14, 16, 18 and 20 are dependent from claims 1, 7, 13 and 17, respectively. Because Oosawa and Murakami fail to disclose all of the elements of claim 1, and because Yanagita fails to cure the deficient disclosures with respect to claims 1, 7, 13 and 17, claims 2, 3, 5, 6, 8, 9, 11, 12, 14, 16, 18 and 20 are patentable at least by virtue of their respective dependencies.

New Claims

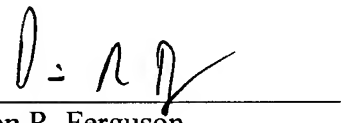
Applicants hereby add new claims 21-25. Claims 22-25 are method claims that track claims 1-4, and are patentable for reasons analogous thereto.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Dion R. Ferguson
Registration No. 59,561

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE
23373
CUSTOMER NUMBER

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